

DOCKET NO:

DECLARATION  
AND POWER OF ATTORNEY  
Original Application

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed below, or a joint inventor if plural inventors are named below of the invention entitled:

IMPROVED RAKE

which is described and claimed in the attached specification or the specification in application Serial No. filed (for declaration not accompany application).

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 CFR §1.56(b). I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. 119 of any foreign application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS

PRIOR TO THE FILING DATE OF THIS APPLICATION

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>	<u>PRIORITY CLAIMED UNDER 35 U.S.C. 119</u>
CANADA	2,287,667	26/10/99	X
CANADA	2,273,320	27/05/99	X

ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS

PRIOR TO THE FILING DATE OF THIS APPLICATION

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>	<u>PRIORITY CLAIMED UNDER 35 U.S.C. 119</u>
			Yes No

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Morris Relson #16,108, Gordon D. Coplein #19,185, William F. Dudine, Jr. #20,569, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Beverly B. Goodwin #28,417, Adda C. Gogoris #29,714, Martin E. Goldstein #20,869, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, David R. Francescani #25,169 all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

DARBY & DARBY P.C.  
805 Third Avenue  
New York, NY 10022-7513

FULL NAME OF INVENTOR 1

LAST NAME: MITCHELL

FIRST NAME: David

MIDDLE NAME:

CITY: Montreal

STATE OR FOREIGN COUNTRY: CANADA

COUNTRY OF CITIZENSHIP:

Canada

POST OFFICE ADDRESS:

6779 Waverly

CITY: Montreal

STATE OR COUNTRY:

Quebec, CANADA

ZIP CODE: H2S 3H8

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR: 

DATED: 24.01.2000

Applicant or Patentee: David MITCHELL  
Serial or Patent No.: \_\_\_\_\_ Attorney's docket No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: IMPROVED RAKE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:  
IMPROVED RAKE

described in:

- ( ☒ ) the specification filed herewith  
( ) application serial No. \_\_\_\_\_, filed \_\_\_\_\_  
( ) patent No. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:


- ( ) no such person, concern, or organization  
(☒) persons, concerns or organizations listed below\*

\* **NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME LES PROMOTIONS ATLANTIQUES INC.  
ADDRESS 770 Guimond, Longueuil, Quebec, CANADA, J4G 1V6  
( ) INDIVIDUAL (X) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

David MITCHELL  
NAME OF INVENTOR NAME OF INVENTOR NAME OF INVENTOR  
  
Signature of Inventor Signature of Inventor Signature of Inventor

04 FEVRIER 2000.  
Date Date Date

Applicant or Patentee: David MITCHELL  
Serial or Patent No.: \_\_\_\_\_ Attorney's docket No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: IMPROVED RAKE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am:

( X ) the owner of the small business concern identified below:

( ) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: LES PROMOTIONS ATLANTIQUES INC.

ADDRESS OF CONCERN: 770 Guimond, Longueuil, Quebec, CANADA, J4G 1V6

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.1301 through 121.1305, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled IMPROVED RAKE

by inventor(s) David MITCHELL

described in:

( X ) the specification filed herewith

( ) application serial No. \_\_\_\_\_ filed on \_\_\_\_\_

( ) patent No. \_\_\_\_\_ issued on \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

( ) INDIVIDUAL

( ) SMALL BUSINESS CONCERN

( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Pierre Turcotte c.a.

TITLE OF PERSON OTHER THAN OWNER: General Manager & Vice-President

ADDRESS OF PERSON SIGNING: same as above

SIGNATURE: \_\_\_\_\_ DATE: January 21, 2000